

REMARKS

Initially, Applicant would like to thank the Examiner for indicating that claims 3-9, 12, 14-16 and 18-14 include allowable subject matter. Accordingly, upon entry of the present amendment, claim 1 will have been amended to substantially include the allowable subject matter of claim 12 (and intervening claim 10), and claims 3 and 4 have been rewritten in independent form to substantially incorporate the subject matter of the independent claim and intervening claim 2 from which they depend.

Further, upon entry of the present amendment, claims 2, 3, 10, 11, 12, 13, 17, 43, 44, 45 and 46 will have been canceled, without prejudice and without disclaimer of the subject matter. Claims 8, 9, 18, 20-23, 27, 28, 32-34 and 40 will have been amended to overcome the Examiner's objections, and claims 5-7, 14, 15, 16, 18, 19, 22-24, 26, 29, 30, 36, 37, 39 and 40 will have been amended to correct informalities in the claim language while not substantially affecting or narrowing the scope of these claims. Accordingly, Applicant respectfully submits that all pending claims are now in condition for allowance.

Applicant notes that claim 26 was not amended, as suggested by the Examiner, because the amendment of claim 23 (from which claim 26 ultimately depends) appears to have addressed the Examiner's objection. Further, Applicant has not amended claim 4 with respect to "noise energy" or claim 9 with respect to "signal threshold," as these errors appear to have been corrected by Applicant's previously filed Preliminary Amendment.

In the above-referenced Official Action, the Examiner rejected claims 1, 2, 17, 45 and 46 under 35 U.S.C. § 102(b) as being anticipated by CASTELLO DA COSTA et al.

(U.S. Patent No. 5,740,256) and JANSE (U.S. Patent No. 5,610,991). The Examiner rejected claims 10 and 11 under 35 U.S.C. § 103(a) as being unpatentable over CASTELLO DA COSTA et al. and JANSE in view of NGO et al. U.S. 5,694,474.

Although Applicant respectfully disagrees with the Examiner's analysis, in the interest of expediting prosecution and obtaining a timely allowance of the claims, Applicant has cancelled all rejected claims. Accordingly, Applicant respectfully requests allowance of all pending claims.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attached thereto.

Should the Examiner have any questions concerning this Reply or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
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